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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

FELIPE ALFONSO CONTRERAS,

Defendant.

Case No. 5:21-mj-70088-MAG

STIPULATION AND ORDER TO CONTINUE
PRELIMINARY HEARING TO AUGUST 19,
2021, AND TO EXCLUDE TIME FROM MAY
25, 2021, THROUGH AUGUST 19, 2021, FROM
THE SPEEDY TRIAL ACT CALCULATION [18
U.S.C. § 3161(h)(7)(A) AND (h)(7)(B)(iv)]

This case is presently set for a preliminary hearing on May 25, 2021. The United States has provided substantial discovery. The defendant is reviewing the discovery and conducting his own investigation. For these reasons, the United States and the defendant hereby stipulate to the continuance of the preliminary hearing to August 19, 2021. The parties further stipulate that the time from August 19, 2021, through and including May 25, 2021, should be excluded from the period of time within which the defendants' trial must commence pursuant to the Speedy Trial Act because a failure to do so would unreasonably deny the defendants the reasonable time necessary for effective preparation. Furthermore, the parties stipulate that the ends of justice served by granting the request outweigh the best interest of

1 the public and the defendant in a speedy trial.

2 The parties also stipulate that the date by which an indictment or information must be filed be
3 extended to September 15, 2021, which is approximately 30 days after August 19, 2021.

4 Defendant Felipe Alfonso Contreras has been advised of this request and specifically consents to
5 the exclusion of time from May 25, 2021, through and including August 19, 2021, from the period of
6 time within which to conduct a preliminary hearing in this matter and to the extension of the date by
7 which an indictment or information must be filed to September 15, 2021.

8 Respectfully submitted,

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10 STEPHANIE M. HINDS
Acting United States Attorney

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12 DATED: May 21, 2021

13 /s/
JASON KLEINWAKS
Assistant United States Attorney

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15 DATED: May 21, 2021

16 /s/
YAN SHRAYBERMAN
Counsel for Felipe Alfonso Contreras

1 **ORDER**

2 Based upon the representations made in the parties' stipulation above and for good cause shown,
3 the Court makes the following findings:

4 1. There is good cause for excluding time from May 25, 2021, through and including August 19,
5 2021, from the period of time within which to conduct a preliminary hearing in this matter under Federal
6 Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an Indictment under the
7 Speedy Trial Act to September 15, 2021;

8 2. The defendant has specifically consented to the extension of such periods;

9 3. Failure to grant a continuance would unreasonably deny the defendants the reasonable time
10 necessary for effective preparation, taking into account the exercise of due diligence; and

11 4. The ends of justice served by excluding the time from May 25, 2021, through and including
12 August 19, 2021, from computation under the Speedy Trial Act outweigh the best interests of the public
13 and the defendants in a speedy trial and in the prompt disposition of criminal cases.

14 Having made these findings,

15 IT IS HEREBY ORDERED that the preliminary hearing in the above-captioned case is
16 continued to August 19, 2021, at 1:00 p.m. before the San Jose duty magistrate judge. It is further
17 ordered that the time from May 25, 2021, through and including August 19, 2021, is excluded from the
18 period of time within which to conduct a preliminary hearing. It is further ordered that the time by
19 which any information or indictment must be filed is extended to September 15, 2021. The Court
20 excludes the time from May 25, 2021, through and including August 19, 2021, from computation under
21 the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

22
23 **PURSUANT TO STIPULATION, IT IS SO ORDERED** this 25th day of May 2021.

24
25 HON. KANDIS A. WESTMORE
26 UNITED STATES DISTRICT COURT
27 NORTHERN DISTRICT OF CALIFORNIA
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